

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing 14 April 2005 (14-04-2005)
(day/month/year)

Applicant's or agent's file reference

FOR FURTHER ACTION

International application No.
PCT/CA2004/002066

International filing date (day/month/year)
02 December 2004 (02-12-2004)

Priority date (day/month/year)
08 December 2003 (08-12-2003)

International Patent Classification (IPC) or both national classification and IPC
IPC: E21B-17/08, E21B-17/02, E21B-7/20, E21B-19/18

Applicant
TESCO CORPORATION ET AL

1. This opinion contains indications relating to the following items :

- | | |
|---|--|
| <input checked="" type="checkbox"/> Box No. I | Basis of the opinion |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/CA
Canadian Intellectual Property Office
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Gatineau, Quebec K1A 0C9

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Authorized officer

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application
No. PCT/CA2004/002066

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statement that the information in the subsequent or additional copies is identical to that
4. Additional comments :

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application
No. PCT/CA2004/02066

Box No. V Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1 to 39</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>1 to 39</u>	YES
	Claims <u>NONE</u>	NO
Industrial applicability (IA)	Claims <u>1 to 39</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations :

D1: US 4 599 778 (DREYFUSS W. et al.) 15 July 1986 (15-07-1986)

Novelty (N)

Claims 1, 18 and 35 of this application define a tubular stabbing protector comprising a plurality of body sections forming a first opening and a second opening. The first opening is sized to be secured over a pin end of an oilfield tubular and the second opening is sized to fit over a box end. A releasable lock is disposed between at least two adjacent body sections of the plurality of body sections. This subject matter is taught in the prior art. D1 is considered to be the closest prior art. This document teaches a stabbing protector with a plurality of body sections, a first and second opening to be fit over the pin and box ends of two drill pipes to be connected. A releasable lock is disposed on the mechanism. See column 2, lines 23 to 49.

Claims 1, 18 and 35 further define that the releasable lock is automatically releasable when the second opening is fit over the connection to permit the plurality of body sections to separate and release the first end. This feature is not taught in the prior art. Thus the subject matter of claims 1, 18 and 35 is considered to fulfill the requirements of PCT Article 33(2).

Dependant claims 2-17, 19 -34 and 36 - 39 embody the limitations of the independent claims and are thus considered to fulfill the requirements of PCT Article 33(2) as well.

Inventive (IS)

Claims 1 - 39 are also considered to involve an inventive step. The inclusion of the automatically releasable lock would not be obvious to one skilled in the art on the claim date and thus the claims are considered to fulfill the requirements of PCT Article 33(3).

Industrial Applicability (IA)

The subject matter of claims 1 to 39 is considered to be industrially applicable and thus fulfills the requirements of PCT Article 33(4).

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International application
No. PCT/CA2004/002066

Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted :

The abstract does not comply with Rule 8.1 d) PCT. Each main technical feature of the invention a reference sign must be included in the abstract, and placed between parentheses.

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